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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 WILLIAM JAMES NEBLETT,

13 Defendant.

NO. CR09-0001 RSL

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

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15 An evidentiary hearing on a petition for violation of supervised release was held before
16 the undersigned Magistrate Judge on October 11, 2011. The United States was represented by
17 Assistant United States Attorney Tate London, and the defendant by Paula S. Deutsch. The
18 proceedings were digitally recorded.

19 The defendant had been charged and convicted of 2 counts of Use of any Facility of
20 Interstate Commerce to Induce a Minor to Participate in Illegal Activity in violation of 18
21 U.S.C. §2422(b) and 1 count of Transportation of Visual Depiction of a Minor Engaging in
22 Sexually Explicit Conduct, in violation of 18 U.S.C. §§2252(a)(1) and 2252(b)(1). On or
23 about February 14, 2005, defendant was sentenced by the Honorable Peter C. Economus, of the
24 Northern District of Ohio to a term of seventy-eight (78) months in custody, to be followed by
25 five (5) years of supervised release. Following release from prison, supervision was
26 transferred to the Western District of Washington.

SUMMARY REPORT OF U.S. MAGISTRATE
JUDGE AS TO ALLEGED VIOLATIONS OF
SUPERVISED RELEASE - 1

1 The conditions of supervised release included the requirements that the defendant
2 comply with all local, state, and federal laws, and with the standard conditions. Special
3 conditions imposed included, but were not limited to, not possessing or perusing any materials
4 that depicted or described "sexually explicit conduct" or "child pornography" and participating
5 in a sexual deviance evaluation and making reasonable progress in a certified sexual deviancy
6 treatment program.

7 In a Petition for Warrant or Summons, dated September 14, 2011, U.S. Probation
8 Officer Jennifer L. Van Flandern asserted the following violations by defendant of the
9 conditions of his supervised release:

- 10 (1) Failing to notify the probation office that he had internet access on his cellular
11 phone on or about January 2010, in violation of the special condition requiring
12 he abide by all the rules of the computer monitoring program.
- 13 (2) Viewing pornography on the internet by conducting an internet search using the
14 term "bondage," on or before December 2010, in violation of the special
15 condition that he not peruse any form of material that depicts "sexually explicit
16 conduct."
- 17 (3) Viewing sexually graphic images on his cellular phone after conducting an
18 internet search of personal advertisements, on or before September 2011, in
19 violation of the special condition that he not peruse an form of material that
20 depicts "sexually explicit conduct."
- 21 (4) Failing to make reasonable progress in a sexual deviancy treatment program on
22 or before September 2011, in violation of the special condition requiring he
23 remain in compliance with all treatment goals and conditions of supervision.

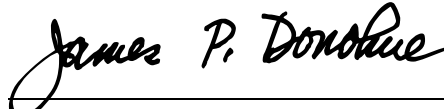
24 On October 3, 2011, defendant made his initial appearance. The defendant was advised
25 of the allegations and advised of his rights and remanded into custody. On October 11, 2011,

1 defendant appeared for an evidentiary hearing on the alleged violations. Defendant admitted to
2 violations 1, 2, 3 and 4.

3 I therefore recommend that the Court find the defendant to have violated the terms and
4 conditions of his supervised release as to violations 1, 2, 3 and 4, and that the Court conduct a
5 hearing limited to disposition. A disposition hearing on these violations has been set before the
6 Honorable Robert S. Lasnik on October 18, 2011 at 1:30 p.m.

7 Pending a final disposition by the Court, at the request of the Probation Officer and the
8 Assistant United States Attorney, the defendant has been released, subject to all the terms of
9 his supervised release.

10 DATED this 11th day of October, 2011.

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12 JAMES P. DONOHUE
13 United States Magistrate Judge
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16 cc: District Judge: Honorable Robert S. Lasnik
17 AUSA: Mr. Tate London
18 Defendant's attorney: Ms. Paula S. Deutsch
19 Probation officer: Ms. Jennifer Van Flandern
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